

May 3, 2010

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Rev. Russell Brownworth of Bethany United Methodist Church, Franklinville, gave the invocation, and everyone recited the Pledge of Allegiance.

Special Retirement Presentation

Chairman Holmes and Suzanne Tate, Public Health Director, recognized Charlotte Routh, who has 27½ years of service with the Randolph County Public Library and retired on April 30.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. No one spoke.

Addition to Consent Agenda

Chairman Holmes announced that *Item L. Approve Resolution Authorizing the Asheboro City Council to Issue Permits for the Use of Pyrotechnics at Concerts or Public Exhibitions Held Within the City of Asheboro* had been added to the Consent Agenda.

Approval of Consent Agenda

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve the Consent Agenda, as follows:

- *approve minutes of regular meeting and 2 sets closed sessions of April 5, 2010 and special meeting of April 15, 2010 (Ethics Training);*
- *approve Budget Amendment #35 for Health Department (Essential Public Health Services), as follows:*

2009-2010 BUDGET ORDINANCE		
General Fund—Amendment # 35		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$ 12,616	
Appropriations	Increase	Decrease
<i>Public Health</i>	\$ 12,616	

- *reappoint Fran Andrews, Lynne Qualls, and Bill Ivey to the Randolph County Historic Landmark Preservation Commission;*
- *reappoint Mazie Fleetwood to the Randolph County Nursing Home Community Advisory Committee;*
- *reappoint Fred Meredith to the RCC Board of Trustees;*
- *approve Budget Amendment #36—Aging Grants, as follows:*

2009-2010 BUDGET ORDINANCE		
General Fund—Amendment # 36		
Revenues	Increase	Decrease

<i>Restricted Intergovernmental</i>	\$ 56,105	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Other Human Services Appropriations</i>	\$56,105	

- approve Budget Amendment #37—Closeout LEO Trust Fund, as follows:

2009-2010 BUDGET ORDINANCE		
<i>General Fund—Amendment #37</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>		\$178,506
<i>Transfer from LEO Pension</i>	\$253,506	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Sheriff</i>	\$ 75,000	

- approve Budget Amendment #38—Closeout 95 COPS Reserve Fund, as follows:

2009-2010 BUDGET ORDINANCE		
<i>General Fund—Amendment #38</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>		\$265,274
<i>Transfer from 95 Capital Reserve</i>	\$265,274	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>

- approve ADM Application and Budget Amendment #39 for Asheboro City Schools (Asheboro High School 03 COPS), as follows:

2009-2010 BUDGET ORDINANCE		
<i>General Fund—Amendment #39</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>		\$179,302
<i>Restricted Intergovernmental</i>	\$179,302	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>

- approve Lottery Applications and Budget Amendment #40 for County Schools (Providence Grove HS--06 COPS) and City Schools (Teachey School--06 COPS), as follows:

2009-2010 BUDGET ORDINANCE		
<i>General Fund—Amendment #40</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>		\$1,513,187
<i>Restricted Intergovernmental</i>	\$1,513,187	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>

- appoint Mazie Fleetwood to Consolidated Mental Health Board;

- *approve Resolution Authorizing the Asheboro City Council to Issue Permits for the Use of Pyrotechnics at Concerts or Public Exhibitions Held Within the City of Asheboro, as follows:*

WHEREAS, Section 14-413(a1) of the North Carolina General Statutes enables a board of county commissioners to authorize the governing board of a city located within the county to issue permits for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the municipality in connection with concerts or public exhibitions; and

WHEREAS, a request has been received from the City of Asheboro, by and through the Asheboro City Manager, for the Randolph County Board of Commissioners to authorize the Asheboro City Council to issue permits for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the City of Asheboro in connection with concerts or public exhibitions; and

WHEREAS, the City of Asheboro has a municipal fire department that includes a fire prevention bureau with properly credentialed fire inspectors; and

WHEREAS, the Randolph County Fire Marshal has no objection to this request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Randolph County, this 3rd day of May, 2010, that, pursuant to Section 14-413(a1) of the North Carolina General Statutes, the Asheboro City Council is hereby authorized to issue, pursuant to and in compliance with the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes, permits for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the City of Asheboro in connection with the conduct of concerts or public exhibitions; and

BE IT FURTHER RESOLVED that this authorization shall remain in effect until withdrawn by means of the Randolph County Board of Commissioners adopting a subsequent resolution withdrawing this authorization.

Presentation & Funding Request Regarding Proposed Agricultural Civic Center

Jimmy Moffitt, Vice President of the Randolph County Farm Bureau, and Ken Austin, Farm Bureau Treasurer, asked the Commissioners to consider partially funding a feasibility study, estimated at approximately \$25,000, for the construction of an agricultural center in Randolph County, primarily to host agricultural events such as livestock contests, organizational meetings and agricultural fairs. In visiting other agricultural events centers across the state, Mr. Austin said that it is apparent that these types of centers work best if they're managed by some form of government. He also mentioned the possibility of the facility being a part of Randolph Community College, but stressed that the Agricultural Events Committee feels strongly that agriculture should be the primary function of the facility. The Agricultural Events Committee has begun to accept donations toward the study cost and has pledges for between \$5,000 and \$7,500; however, the Committee would like an understanding that the project will be supported by the County, both with the feasibility study cost and some capital funding, should the study results be favorable. They asked the Board to consider funding for the study in the upcoming budget.

Request for Resolution of Support for Amendment to Homestead Income Limit Bill

Betty Hunt, Randolph County delegate to the North Carolina Senior Tar Heel Legislature (STHL), and the current Speaker of the STHL, spoke on behalf of the Randolph County Aging Services Planning Committee (ASPC), and asked the Board to adopt a resolution regarding support for House Bill 423 with an amendment and a request to move the bill out of committee to a vote. The bill, as it is currently written, proposes raising the "Homestead Income Limit" from \$25,000 to \$30,000. However, the STHL proposes an amendment to the bill to raise the limit to \$35,000 due to increases in the cost of living and decreasing income for seniors.

Debra Hill, Randolph County Tax Supervisor, told the Board that raising the limit to \$35,000

would likely double the number of citizens eligible for the exemption, which would result in a tremendous revenue loss for the County. She said that the current law provides for a cost of living adjustment each year, and that the actual current threshold is \$27,100.

No action was taken on this item.

Approval of Proclamation for Emergency Medical Services Week

On motion of Frye, seconded by Haywood, the Board unanimously adopted a Proclamation for Emergency Medical Services Week, as follows:

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of our emergency medical services providers by designating Emergency Medical Services Week.

NOW THEREFORE, the Randolph County Board of Commissioners hereby proclaims the week of May 16 – 22, 2010, as “Emergency Medical Services Week” and urges all citizens to join in honoring the men and women whose diligence and professionalism keep our county and citizens safe.

Approval to Donate Out-of-Service Ambulance to NC Zoo

Donovan Davis, Emergency Services Director, asked the Board to approve the donation of an ambulance to the N.C. Zoo veterinarians, as allowed by NCGS 160A-274. He said the Ford F-350 ambulance has accumulated over 220,000 miles and is no longer viable for emergency operations. The ambulance would be used to transport animals suffering from illness or injury and for use as a mobile clinic for routine animal issues around the park. The County would incur no cost(s) for title or vehicle transfer.

On motion of Kemp, seconded by Haywood, the Board voted unanimously to donate an out-of-service ambulance to the N.C. Zoo, as requested.

Regional Partnership Workforce Development Board Annual Report

Burke Ramsey, Workforce Development Board member, reviewed the July 1, 2008-June 30, 2009 annual report of the Regional Partnership Workforce Development Board’s Local Workforce Development Area. He highlighted the following programs: RCC JobLink Career Center, Dislocated Workers Program, and Building Futures Youth Center Programs, and shared success stories, including Kennametal’s expansion. The Joblink Center handled the application process for the 70 new job positions resulting from Kennametal’s expansion.

Public Hearing on Closing Center Street and Adoption of Order to Close Road

Aimee Scotton, Associate County Attorney, said that she had received a request from attorney Margaret Megerian who, on behalf of her client, Ms. Dorothy Smith, has requested that the Randolph County Board of Commissioners act to permanently close a portion of Center Street, which has never truly been open as a road. The procedure for closing a public road or easement is

governed by NCGS §153A-241. The first step requires that the Board of Commissioners adopt a resolution declaring its intent to close the road and calling for a public hearing on the question, which the Board did at its previous regular meeting in April. In accordance with the statute, this notice was published once a week for three successive weeks. The statute further requires that a copy of the resolution be sent by registered certified mail to each owner of property adjoining the road, as shown by the county tax records, who did not join in the request to have the road closed. In this case, there were no adjoining property owners affected other than Ms. Smith. Furthermore, a notice of the closing and the public hearing was posted in two places along the section proposed to be closed as prescribed by the statute. Ms. Scotton said that following the public hearing this day, if the Board of Commissioners is satisfied that closing this road will not be detrimental to public interest and will not deprive any individual of access to his property, the Board may adopt an order closing the road. A certified copy of the order shall then be filed with the Register of Deeds office.

At 5:00 p.m., Chairman Holmes opened the public hearing. Hearing no comments, the public hearing was closed.

On motion of Frye, seconded by Lanier, the Board voted unanimously to adopt an order to close Center Street in Asheboro, as follows:

WHEREAS, the Randolph County Board of Commissioners received a request to permanently close the following section of Center Street:

From the end of Center Street at the Western boundary of the Rushwood Park Subdivision approximately 150 feet to the intersection of Center Street and a road labeled "Mountain Road" in a survey entitled "Rushwood Park" and recorded in Plat Book 1, Page 233, in the Randolph County Registry; said section is also depicted as "Street Not Open" running from two new iron pipes marking the Southwest corner of Lot 139 and the Northeast corner of Lot 138 of Rushwood Park Subdivision approximately 152 feet to Danwood Street/SR 1434 as depicted in a survey entitled "Final Plat Prepared for Dorothy Swaney Smith" recorded in Plat Book 123, Page 90 in the Randolph County Registry; and

WHEREAS, on April 5, 2010, the Randolph County Board of Commissioners adopted a resolution declaring its intent to close said street or easement and set a public hearing on the issue for May 3, 2010, all in accordance with North Carolina General Statute §153A-241; and

WHEREAS, notice of the proposed closing and public hearing were prominently posted in two places along said street; and

WHEREAS, a copy of the resolution was sent by registered or certified mail to each owner as shown on the county tax records of property adjoining said road or easement who did not join in the request; and

WHEREAS, notice of the public hearing set by the Randolph County Board of Commissioners for May 3, 2010 was published once a week for three successive weeks before the hearing; and

WHEREAS, the Randolph County Board of Commissioners has determined through the public hearing that the closing of the aforesaid street is not contrary to the public interest and that no individual owning property in the vicinity of said street would be deprived of reasonable means of ingress and egress to his property;

NOW THEREFORE, BE IT ORDERED by the Randolph County Board of Commissioners the above-referenced portion of Center Street be permanently closed and that all right, title, and interest in its respective rights-of-way is vested in those persons owning lots or parcels of land adjacent to the street or easement.

BE IT FURTHER ORDERED that a certified copy of this Order shall be filed in the Register of Deeds Office.

Approval of Capital Project Ordinance for RCC for Renovations for Former KFI Building

Dr. Bob Shackleford told the Board that an architectural firm has been hired for the renovation

of the former Klaussner Building into a Continuing Education and Industrial Center. He said the estimated cost is \$6.45 million, which will be funded with the new quarter-cent sales tax that was passed in March via a successful referendum, and will be effective 7/1/10. Dr. Shackleford said that the new Center will be a Leadership in Energy and Environmental Design (LEED) certified building and that RCC will continue to apply for grants to aid in this certification. He asked the Board to approve a capital project ordinance for this project.

On motion of Frye, seconded by Lanier, the Board voted unanimously to adopt the RCC Capital Project Ordinance, as follows:

BE IT ORDAINED by the Board of the Randolph County Commissioners that, pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. As authorized by G.S. 153A-158.2, the County is responsible for acquisition and improvement of community college property. The authorized capital project consists of renovation and improvements to community college facilities, including the former Klaussner Furniture Industries building. The projects will be funded with the proceeds from Article 46 sales taxes, to be transferred from the General Fund.

Section 2. The officers of Randolph County and the officers of Randolph Community College are hereby authorized to proceed with the capital project in accordance with all General Statutes of North Carolina and within terms of the contracts approved by the Randolph County Board of Commissioners and Randolph Community College Board of Trustees.

Section 3. The following amounts are appropriated for expenditures for the capital project:

<i>KFI / Early College Renovations</i>	
<i>Equipment</i>	<i>\$ 385,000</i>
<i>Construction</i>	<i>5,580,000</i>
<i>Site Improvement</i>	<i>405,000</i>
	<i><u>\$ 6,370,000</u></i>

Section 4. The following amounts are anticipated to be available to complete this capital project:

<i>Transfer from General Fund</i>	<i><u>\$ 6,370,000</u></i>
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Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of General Statutes of North Carolina.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement should be made in an orderly and timely manner. Any advances between fiscal years must be approved by the Board of Commissioners.

Section 7. This Capital Project Ordinance shall be entered in the minutes of the Board of the Randolph County Commissioners and, after adoption, copies of this Ordinance shall be filed with the finance officer, the budget officer, and the clerk to the board.

Section 8. This Capital Project Ordinance is adopted on May 3, 2010 and shall continue in effect until the project is completed.

Approval of Resolution to Adopt Interlocal Agreement & to Join the NCACC Risk Management Pool

Assistant County Manager/Finance Officer Will Massie said that the North Carolina Association of County Commissioners is now requiring that Counties agree via resolution to adopt the interlocal agreement to join the NCACC Risk Management Pools.

On motion of Kemp, seconded by Haywood, the Board voted unanimously to approve a Resolution to Adopt Interlocal Agreement & join the NCACC Risk Management Pool, as follows:

WHEREAS, Randolph County desires to pool the retention of their risks, liabilities and/or payments, or for the group purchase of coverage, and has completed a Pre-Audit Certification in compliance with N.C.G.S. § 159-28; and

WHEREAS, the North Carolina Counties Risk Management Agency d.b.a. NCACC Risk Management Pools (hereinafter called the "Risk Pool"), has been established pursuant to G.S. §153A-445(a)(1) and G.S. §160A-464; and

WHEREAS, it is desirable for Randolph County to join the Risk Pool to obtain the opportunity for risk sharing and/or group purchase of coverage;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners or Governing Board of Randolph County hereby adopts the foregoing Interlocal Agreement and hereby joins and agrees to participate in the Risk Pool as indicated:

- *North Carolina Counties Liability and Property Joint Risk Management Agency d.b.a.
NCACC Liability and Property Pool*
- *North Carolina Workers' Compensation Joint Risk Management Agency d.b.a.
NCACC Workers' Compensation Pool*
- *Health Insurance Trust d/b/a NCACC Group Benefits Pool*

BE IT FURTHER RESOLVED that J. Harold Holmes (authorized official) is duly authorized to execute the application to join the Risk Pool and hereby executes the Agreement on behalf of Randolph County.

Witnessed wherefore, this the 3rd day of May, 2010.

Historic Landmark Preservation Commission Annual Report

On behalf of the Randolph County Historic Landmark Preservation Commission (HLPC), Hal Johnson, County Planning Director, presented the annual report and update of activities as required by the County Commissioners' adopting Ordinance. Mr. Johnson stated that the Commission has Interlocal Agreements with Archdale, Asheboro, Ramseur, Franklinville, Trinity, Liberty, Seagrove and Randleman that designates the Randolph County HLPC as its advisory body. He said the following local landmarks have been formally designated by the Randolph County HLPC and approved by the participating local governments: 1909 Old County Courthouse, 1802 Sandy Creek Primitive Baptist Church, 1922 Old County Rest Home, 1838 Franklinsville Mfg. Co., 1855 Trinity Museum/Winslow House, 1782 Col. Andrew Balfour Cemetery, and the 1911 Pisgah Covered Bridge. The HLPC is currently considering the 1775-1800 Mt. Shepherd Archeological Site for local landmark designation. This recommendation has been requested to come before the County Commissioners at public hearing on June 7, 2010.

Mr. Johnson stated the designation of local Cultural Heritage Sites is a new recognition program that is unique to the Randolph County Historic Landmark Preservation Commission. It is designed to increase public appreciation and awareness of the special history and heritage of Randolph County. Cultural Heritage Sites may not meet the requirements for formal designation as local historic landmarks, but they are locations of local significance. The HLPC began designating local Cultural Heritage Sites at the March 24, 2010 meeting, and the following Cultural Heritage Sites have been designated: 1920 Parkers Mill Bridge, 1789 Richland Lutheran Church & Cemetery, c.1760 Mill Creek Friends Meeting & Cemetery, 1905 Liberty Train Depot, and the 1885 Patterson Cottage/Liberty Museum.

Mr. Johnson stated that the HLPC has a designated website to provide history of local landmarks and Cultural Heritage Sites, along with other information that would be helpful to citizens concerning the Historic Commission and the designation process. The HLPC website has recorded over 6,000 hits, from all areas of the county, nation, and world, during the past year.

The Randolph County HLPC is currently being considered by the N.C. Historic Preservation Office for designation as a Certified Local Government program. This designation would allow the HLPC to compete for grant funds that the State Historic Preservation Office receives from the Federal Historic Preservation Fund. Certified Local Government designation also allows the HLPC to review and comment on all nominations to the National Register of Historic Places that may be considered within Randolph County.

Public Hearing Set for Historic Landmark Designation – Mt. Shepherd Pottery Site

On motion of Haywood, seconded by Lanier, the Board voted unanimously to set a public hearing for 4:30 p.m. on June 7, for consideration of landmark designation of the Mt. Shepherd Pottery Site.

Closed Session—Acquisition of Real Property

At 5:27 p.m., on motion of Frye, seconded by Kemp, the Board voted unanimously to go into closed session to establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property, pursuant to N.C.G.S. 143-318.11(a)(5).

Regular Session Resumed

At 5:48 p.m., the Board returned to regular session.

Adjournment

At 5:48 p.m., there being no further business, the meeting adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Arnold Lanier

Stan Haywood

Cheryl A. Ivey, Clerk to the Board